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City Council Meeting Agenda Report

Subject: Resignation of Mayor Scott Vinton, District 5
Date: September 21, 2021
Prepared by: Kimberly Ramirez, Interim Assistant City Clerk
Reviewed by: Cristal McDonald, City Clerk
Approved by: Kim Summers, City Manager

RECOMMENDATION

Discuss and determine whether the City Council would like to proceed filling the District 5 vacancy, created by the resignation of Mayor Scott Vinton (term ending December 2022), by appointment or by special election.

- a. Appointment. Direct the City Clerk to fulfill District 5's vacancy through an appointment process. Review, discuss and accept or amend the tentativeⁱ schedule associated with an appointment process;
OR
- b. Special Election. Direct the City Clerk to fulfill District 5's vacancy through a special election and return with a resolution calling the special election.

PRIOR ACTION/VOTE

On December 18, 2018 Scott Vinton was elected as a Member of the City Council, representing District 5 with the term ending in December 2022.

On December 17, 2019, Council Member Vinton was selected by fellow Council Members to serve as Mayor Pro Tem for the year of 2020.

December 15, 2020, Mayor Pro Tem Vinton was selected by fellow Council Members to serve as Mayor for the year of 2021.

CITY COUNCIL GOAL

Maintain a high performing organization that values fiscal sustainability, transparency, accountability, and organizational efficiency.

BACKGROUND

On August 31, 2021 Mayor Scott Vinton submitted his resignation to the City Manager and the City Clerk with an effective date of December 21, 2021. This resignation will create a vacancy for the Murrieta City Council, District 5 with the term ending December 2022.

ⁱ The tentative meeting dates may be adjusted based on necessity and/or scheduling conflicts.



Mayor Vinton intends on fulfilling his tenure as Mayor which expires December 21, 2021 (Resolution 19-4178 § 3.1).

Pursuant to California Government Code § 36512, within 60 days from the commencement of the vacancy, the City Council must fill the vacancy either by appointment or by calling a special election.

If an appointment cannot be agreed upon within the 60 days, a special election must be held on the next regularly established election date no less than 114 days from the call of the election.

OPTION 1: Filling the City Council Vacancy through an Appointment Process

The City Council has the option of appointing an individual to fill the vacancy for the unexpired term (December 2022). Under the direction of the City Council, the City Clerk will notice the vacancy and issue a call for applications (which will include a required supplemental questionnaire). Qualifications include being a resident of the 5th District, a registered voter, at least 18 years of age and a U.S. citizen. Subsequently, the City Council will hold interviews at an open meeting(s). Upon reviewing applications and interviewing applicants, the City Council shall come to a consensus to fill the District 5 vacancy for the unexpired term.

In accordance with Murrieta Municipal Code § 1.21.020 *By-district Elections for City Council*, and California Government Code §34882, the City Council Member elected to represent a district must reside in that district and be a registered voter in that district.

If the City Council selects the appointment procedure, the City Clerk proposes the below tentative schedule, which may be subject to change due to needs and/or scheduling conflicts:

DATE	EVENT
September 22, 2021 (W)	Announce <i>Unscheduled Vacancy of District 5, Council Member seat</i> . Call for applications from September 27, 2021-October 18, 2021.
September 27, 2021 (M)	Application period opens.
October 16, 2021 (Tu)	Regular City Council Meeting. In accordance with Resolution No. 19-4178 §1.3, the majority of the City Council call for a special meeting on November 8, 2021 to interview and possibly select appointment.
October 18, 2021 (M) 5:30 PM	Application period closes (5:30pm close of business).



November 8, 2021 (M) 2:00 PM	City Council interviews applicants during the Special City Council meeting. Possible final decision and appointment. ⁱⁱ
November 16, 2021 (Tu)	If necessary, City Council continue interview/selection of applicants during the Regular City Council meeting. Final decision and appointment.
December 7, 2021 (Tu)	Regular City Council meeting. No action necessary, unless applicable.
December 21, 2021 (Tu)	Regular City Council meeting. Outgoing Mayor/District 5 Council Member; Issue Oath to incoming District 5 Council Member.

Based on the above referenced proposed timeline, the appointee will be sworn in on the effective date of Mayor Scott Vinton's resignation.

OPTION 2: Filling the City Council Vacancy by Calling a Special Election

The City Council has the option of calling a special election to fill the remaining term of the vacancy. Per California Government Code § 36512 the special election is to be held on the next regularly established election not less than 114 days from the call of the special election. The Primary Election on June 7, 2022, is the next regularly scheduled election.

If the City Council selects fulfilling the vacancy through a special election, the City Clerk will come back to the City Council to call the election in accordance with the law.

FISCAL IMPACT

Appointment. The fiscal impact, outside of City staff time, of filling the vacancy by appointment would include the advertising cost of publishing to the following papers: Inland Valley Daily Bulletin, Press Enterprise, and the San Bernardino Sun; estimated to run around \$600.

Special Election. The estimated cost of running a special election, outside of City staff time, is approximately \$38,000 - \$48,000. The City Clerk would seek a budget amendment, upon calling the special election.

ⁱⁱ The City Council will formally seat the new District 5 Council Member at the December 21, 2021 Regular City Council meeting.



ATTACHMENTS

None.